

Results of the Fourth WTO Ministerial Conference

November 14, 2001

- Trade Ministers representing over 140 countries met from November 9-14th at the 4th World Trade Organization (WTO) Ministerial Conference in Doha, Qatar. After six days of intensive negotiations, the Ministers agreed to a Declaration launching new multilateral trade negotiations. The ambitious agenda calls for a comprehensive 3 year negotiation (to be concluded by 2005), covering a variety of areas affecting international business and commerce, such as agriculture, services, industrial tariffs, investment, and environmentally harmful fishing subsidies.
- The Ministers also approved a separate political Declaration regarding patent rules and public health and a Decision regarding developing country concerns related to their commitments to implement previous WTO Agreements and to technical assistance. Both documents were considered to be critically important to developing countries and influenced the successful launch of new negotiations. WTO Ministers also approved the accession of China and Taiwan to the WTO.
- To summarize, WTO Trade Ministers at their 4th Ministerial Meeting, approved:
 - (1) A Declaration launching new global trade negotiations and a work program (10 pages);
 - (2) A Declaration on Intellectual Property Protection (TRIPS) and access to medicines and Public Health (1 ½ pages); and
 - (3) A Decision on Implementation-Related Issues and Concerns raised by Developing Countries (8 pages).
- To oversee the process, the Ministers established a Trade Negotiating Committee (TNC), which will hold its first meeting no later than January 31, 2002. Negotiations will be conducted at the WTO's headquarters in Geneva, Switzerland.

Roadmap through the Declaration launching global trade negotiations:

- **Agriculture:** Achieved ambitious negotiating objectives that provide the opportunity to expand global markets for U.S. farmers and ranchers, and significantly reform export subsidies and other trade-distorting practices that impede the competitiveness of American farmers and ranchers. Ministers called for the reduction, with a view to phasing out, export subsidies, as well as substantial improvements in market access and substantial reductions in trade-distorting domestic support. These objectives are consistent with the ambitious thrust of the U.S. negotiating proposal on agriculture. The text also establishes specific timetables for moving the negotiations forward. The launch of broader negotiations will provide added impetus to the mandated negotiations currently underway in Geneva.
- **Services:** Established a rigorous timetable that provides the opportunity for the United States to aggressively pursue open markets around the globe for this key U.S. sector.

The next stage will commence promptly in 2002, encompass a deadline for initial requests for commitments of June 30, 2002 and a deadline for initial offers of March 31, 2003.

- **Non Agricultural Market Access**: Achieved negotiating mandate to reduce tariff and non-tariff barriers on industrial products, ensuring that the U.S. can pursue a variety of tariff liberalization initiatives such as landmark agreements like the Information Technology Agreement (ITA). The mandate is comprehensive – no sectors or products are excluded from the outset for any WTO Member. The United States sought, and achieved, a broad mandate for the negotiations that will allow us to pursue different negotiating methods (e.g., “zero-for-zero initiatives”, tariff harmonization and other approaches).
- **WTO Rules**: Secured a two-stage mandate to clarify and improve the disciplines under the Agreements on Antidumping and Countervailing Measures, and on trade distorting practices that give rise to dumping and countervailing duties. The mandate recognizes that unfair trade laws are legitimate tools for addressing unfair trade practices that might cause injury to U.S. industry. The mandate allows the United States to put forward an agenda which includes transparency and due process that will promote the protection of U.S. exporters who are increasingly becoming subject to unfair trade cases abroad.
- **TRIPS**: A separate political declaration highlights provisions in the TRIPS agreement that provide Members with the flexibility to address public health emergencies, such as epidemics of HIV/AIDS, tuberculosis and malaria. Through the Declaration, Members expressed their strong support for the TRIPS agreement and the importance of Intellectual Property Protection for the development of life-saving drugs. The Members also secured agreement to strengthen the WTO’s work program on TRIPS, and avoided launching negotiations on Geographic Indications. Ministers agreed to a U.S. proposal to extend until January 1, 2016 the time by which least-developed WTO Members must implement TRIPS provisions on protecting patent rights for pharmaceutical products.
- **Trade and the Environment**: Succeeded in securing a package of environmental elements that demonstrates the WTO’s commitment to sustainable development and to simultaneously advancing trade, environment, and development interests. Specifically, secured mandates that will enable U.S. negotiators to pursue an aggressive, affirmative agenda, focusing on the reduction/elimination of environmentally harmful subsidies in fisheries and export subsidies in agriculture as well as on improved market access for environmental goods and services; and encouraging capacity-building for developing Members, including in connection with environmental reviews of trade agreements. The role of the Committee on Trade and the Environment was also strengthened. The Members also agreed to enhance the mutual supportiveness of multilateral environmental agreements (MEAs) and the WTO rules by enhancing cooperation between the WTO and MEA secretariats and further exploring the relationship between the agreements.

- **Competition:** Agreed to a two-stage modest negotiation aimed at identifying core principles, with further decisions at the next (Fifth) Ministerial. In the first stage, the WTO will focus on clarification of ‘core principles,’ including transparency, non-discrimination and procedural fairness. At the Fifth Ministerial, a decision will be taken on the timing and specific content of the negotiations.
- **Investment:** Agreed to two-stage negotiation. During the first stage, the existing WTO working group on investment will clarify issues, such as transparency, non-discrimination, modalities for making commitments, exceptions, and government-to-government dispute settlement. At the Fifth Ministerial, a decision will be taken on the time and specific content of the negotiations.
- **Trade Facilitation** : Embarked on a focused program leading to negotiations aimed at meeting the needs for transparency and efficiency of the fast-paced global economy. Ministers agreed to provide for work on new WTO rules to make procedures at international borders more transparent and efficient. Negotiations will take place after the Fifth Ministerial – on the basis of a decision to be taken at that Ministerial on modalities of negotiations. At that time, negotiations will be launched on WTO rules for expediting the movement and clearance of goods crossing borders, building on relevant GATT Articles (Articles V (*transit*), VIII (*formalities*), and X (*transparency*)).
- **Transparency in Government Procurement:** Embarked on a focused program that will lead to disciplines on government purchases, making an important contribution to combating corruption. Ministers agreed to negotiate an agreement providing for enhanced transparency in WTO Member government procurement procedures, to be launched at the Fifth Ministerial. The negotiations will not incorporate new market access commitments, meaning Members’ preferential procurement programs will not be involved. The process will include a focused preparatory phase and a program of capacity building and technical assistance for developing countries.
- **Dispute Settlement:** Ministers agreed to undertake negotiations to improve and clarify WTO rules on dispute settlement procedures. Members will aim to reach agreement on their work by May 2003. The United States welcomes the opportunity to refine the dispute settlement system based on the experiences of Members over the past six years. We will continue to pursue more transparent dispute settlement procedures which achieve effective and timely results.
- **Governance/Capacity Building:** Agreed an agenda to strengthen the operations of the WTO, its cooperation with other international institutions, capacity building/development, and promote greater transparency as the negotiations are pursued. The declaration recognizes the special needs and interests of developing countries, and provides for technical assistance for capacity building during negotiations and subsequent implementation of agreements.

- **Trade, Debt, and Finance:** At the urging of African WTO Members, a Working Group will be established to examine the relationship between trade, debt and finance. The WTO General Council is to report on "progress in the examination" to the Fifth Ministerial. The Ministerial Declaration recognizes the individual mandates of the WTO, the World Bank, and the IMF but also recognizes the need for greater coherence between them, as they all aim to promote growth, development and prosperity.

Implementation in the Main Declaration and Separate Decision

- Addressed a wide range of developing country concerns regarding implementation of previous WTO agreements without changing U.S. laws or practices, primarily through clarifying existing provisions and seeking further work in WTO Committees (e.g., Antidumping, Subsidies). The Decision deflected efforts by some countries to reopen agreements such as textiles and Antidumping. Issues that remain outstanding will become part of the WTO work program, or addressed in negotiations where they have been specifically mandated.